

File No. 50130-135 Kevin Heffernan v. Frank G. Straub, et al., USDC-Southern District 07 Civ. 11260 (WCC)

**AFFIDAVIT OF SERVICE VIA ECF AND FIRST CLASS MAIL**

**STATE OF NEW YORK )  
                        ) ss:  
COUNTY OF NEW YORK)**

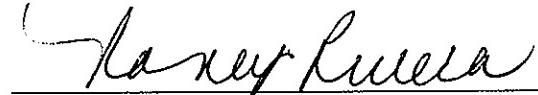
Nancy Rivera, being duly sworn, deposes and says:

I am not a party to this action, am over 18 years of age and I reside in the State of New York, County of New York.

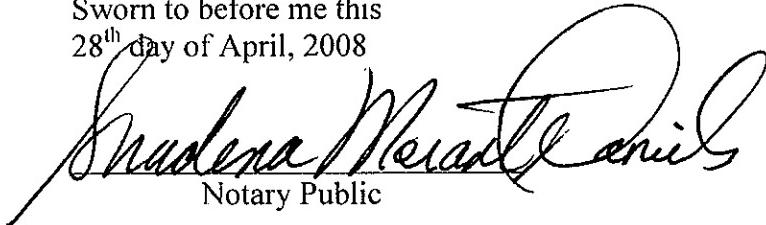
That on the 28<sup>th</sup> day of April, 2008, I served a true copy of the annexed **AMENDED NOTICE OF MOTION, AFFIRMATION IN SUPPORT OF MOTION TO DISMISS AND MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS FIRST AMENDED COMPLAINT** upon the following:

Jonathan Lovett, Esq.  
LOVETT & GOULD, LLP  
Attorneys for Plaintiff  
222 Bloomingdale Road  
White Plains, New York 10605  
(914) 428-8401

by depositing same enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.

  
\_\_\_\_\_  
Nancy Rivera

Sworn to before me this  
28<sup>th</sup> day of April, 2008

  
\_\_\_\_\_  
Shadene Morant-Daniels  
Notary Public

SHADENA MORANT-DANIELS  
Notary Public, State of New York  
No. 24-4986342  
Qualified in Kings County  
Commission Expires Sept. 9, 2009